

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Livshits et al.

Application No.: 09/841,609

Filing Date: April 25, 2001

For: AMINO ACID PRODUCING STRAINS  
BELONGING TO THE GENUS  
ESCHERICHIA AND METHOD FOR  
PRODUCING AMINO ACID

Art Unit: 1652

Examiner: Kerr

Attorney Ref. No.: US-1410

Via Facsimile to: 703.872.9306

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FEB 15 2005

## REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER 37 CFR §1.114

## Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of  
the above-identified application. The following are submitted:

1. Submission required under 37 C.F.R. 1.114:
  - a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
    - ii. ☐ Other
  - b. ☒ Enclosed
    - i. ☒ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☐ Information Disclosure Statement
    - iv. ☐ Other
2. Miscellaneous
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Periods of suspension shall not exceed 3 months. Fee under 37 C.F.R. 1.17(i) required).
  - b. ☐ Other
3. Fees – The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-3077.
    - i. ☒ The RCE fee required under 37 C.F.R. §1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)

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- iii. ☐ Other  
b. ☐ Check in the amount of \$      enclosed  
c. ☐ Payment by credit card (Form PTO-2038 enclosed)

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the undersigned authorizes that such fees be charged to the deposit account 50-3077.

Respectfully submitted,

By:   
Shelly Guest Cermak  
Registration No. 39,571

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Date: 2 - 15 - 2005